IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT PETITION NO : 11135 of 1998

Between:

M. Faiz Baig Khaleel S/o. M.Osman Baig
Indian Overseas Bank, Karimnagar Branch.
Karimnagar.

..... PETITIONER

AND

1 The Indian Overseas Bank, Rep. by Regional Manager Regional Office, Hyderabad..
2 The Manager, Indian Overseas Bank, Karimnagar Branch, Karimnagar.
3 The Asst,. Director, Handicapped Welfare, Govt. of A.P. Karimnagar.
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of a Writ of Mandamus and declare the action of Respondents Bank to exclude the Petitioner for consideration for regular appointment as Messenger on account of overage in the selections held on 15.3.1998 as arbitrary, discriminatory and unconstitutional and consequently direct the respondents to regularise the services of Petitioner as Messenger without reference to present age and in preference to outsiders.

Counsel for the Petitioner: MR.P.NAVEEN RAO

Counsel for the Respondent Nos.1 and 2: MR.M.V.K.VISWANADHAM

Counsel for the Respondent No.3: None appeared.

The Court made the following :

-

-

-

-

-

ORAL ORDER:

-

-

In this writ petition, more than the question of law, only disputed questions of fact are involved. The better course for the petitioner is to approach the Industrial Tribunal-cum-Labour Court, which is a fact-finding body, to work out his remedies.

The petitioner is at liberty to approach the Industrial Tribunal-cum-Labour Court and work out his remedies as available under law.

With the above direction, the writ petition is disposed of. No order as to costs.

_____

(C.V. RAMULU, J.)

27th June, 2005

bcj

To

1 The Regional Manager, The Indian Overseas Bank, Regional Office, Hyderabad..
2 The Manager, Indian Overseas Bank, Karimnagar Branch, Karimnagar.
3 The Asst,. Director, Handicapped Welfare, Govt. of A.P. Karimnagar.
4. Two C.D. copies.